

House File 2390 - Introduced

HOUSE FILE 2390
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HF 450)
(SUCCESSOR TO HSB 108)

A BILL FOR

1 An Act concerning the contract bidding process for public
2 improvement projects conducted by the state board of
3 regents.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 262.34, subsection 1, Code 2016, is
2 amended to read as follows:

3 1. a. When the estimated cost of construction, repairs, or
4 improvement of buildings or grounds under charge of the state
5 board of regents exceeds one hundred thousand dollars, the
6 board shall ~~advertise~~ do all of the following:

7 (1) Advertise for bids for the contemplated improvement
8 or construction and shall let by publishing a notice to
9 bidders. The notice to bidders shall be published at least
10 once, not less than four days and not more than forty-five
11 days before the date for filing bids, in a newspaper published
12 at least once weekly and having general circulation in the
13 geographic area of contemplated improvement or construction.
14 Additionally, the board may publish a notice in a relevant
15 contractor organization publication or relevant contractor plan
16 room service with statewide circulation, provided that a notice
17 is posted on an internet site sponsored by the board.

18 (2) Have an engineer licensed under chapter 542B, a
19 landscape architect licensed under chapter 544B, or an
20 architect registered under chapter 544A prepare plans and
21 specifications and calculate the estimated total cost of
22 the contemplated improvement or construction. The board
23 shall ensure that a sufficient number of printed copies of
24 the project's contract documents, including but not limited
25 to all drawings, plans, specifications, and estimated total
26 costs of the proposed improvement or construction, are made
27 available for distribution at no charge to prospective bidders,
28 subcontractor bidders, suppliers, and contractor plan room
29 services.

30 (3) Let the work to the lowest responsible bidder. However,
31 if

32 b. If, in the judgment of the board, bids received are
33 not acceptable, the board may reject all bids, after making a
34 specific finding identifying the basis for the rejection of
35 each bid received, and proceed with the construction, repair,

1 or improvement by a method as the board may determine. All
2 plans and specifications for repairs or construction, together
3 with bids on the plans or specifications, shall be filed by the
4 board and be open for public inspection. All bids submitted
5 under **this section** shall be accompanied by a deposit of money,
6 a certified check, or a credit union certified share draft in
7 an amount as the board may prescribe.

8 EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 This bill modifies the contract bidding process conducted
12 by the state board of regents.

13 Currently, when the estimated cost of construction, repairs,
14 or improvement of buildings or grounds under charge of the
15 state board of regents exceeds \$100,000, the board of regents
16 must advertise for bids for the contemplated work and shall
17 let the work to the lowest responsible bidder. However, if
18 in the judgment of the state board of regents bids received
19 are not acceptable, the state board of regents may reject all
20 bids and proceed with the work by a method as the state board
21 of regents may determine. All plans and specifications for
22 repairs or construction, together with bids on the plans or
23 specifications, must be filed by the state board of regents
24 and be open for public inspection. All bids submitted under
25 this Code section must be accompanied by a deposit of money, a
26 certified check, or a credit union certified share draft in an
27 amount as the state board of regents may prescribe.

28 Under the bill, when the estimated cost of the work exceeds
29 \$100,000, the state board of regents must advertise for bids
30 by publishing notice at least once, not less than four and
31 not more than 45 days before the date for filing bids, in a
32 newspaper published at least weekly with a general circulation
33 in the geographical area of the work. The state board of
34 regents may also publish notice in a relevant contractor
35 organization publication or relevant contractor plan room

1 service with statewide circulation, provided that a notice is
2 posted on an internet site sponsored by the state board of
3 regents.

4 The state board of regents must also have an engineer
5 licensed under Code chapter 542B, a landscape architect
6 licensed under Code chapter 544B, or an architect registered
7 under Code chapter 544A prepare plans and specifications
8 and calculate the estimated total cost of the contemplated
9 improvement or construction. The state board of regents
10 must ensure that a sufficient number of printed copies of
11 the project's contract documents, including but not limited
12 to all drawings, plans, specifications, and estimated total
13 costs of the proposed improvement or construction, are made
14 available for distribution at no charge to prospective bidders,
15 subcontractor bidders, suppliers, and contractor plan room
16 services.

17 If the state board of regents determines that none of the
18 bids are acceptable, the board, under the bill, must identify
19 a specific reason for rejecting each bid received, the state
20 board of regents may proceed with the work by a method as the
21 board may determine, as the law currently prescribes.